

THE

1560 / 585

# S P E E C H

OF THE RIGHT HONOURABLE

JOHN, LORD BARON FITZGIBBON,

[NOW EARL OF CLARE,)

Lord High Chancellor of Ireland,

DELIVERED IN THE HOUSE OF PEERS, ON THE SECOND  
READING OF THE BILL FOR THE RELIEF OF HIS  
MAJESTY'S ROMAN CATHOLIC SUBJECTS,

MARCH 13th, 1793:

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WITH

# A N A C C U R A T E R E P O R T

OF THE

# S P E E C H

OF THE RIGHT HONOURABLE

JOHN FOSTER,

Speaker of the House of Commons,

ON THE ABOVE SUBJECT,

FEBRUARY 27th, 1793.

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L O N D O N :

PRINTED FOR J. WRIGHT, OPPOSITE OLD BOND-STREET,  
PICCADILLY.

—  
1793.



## A D V E R T I S E M E N T.

THE following Speeches were delivered in the House of Lords and Commons, on the second reading of a Bill for "The Relief of his Majesty's Roman Catholic Subjects in Ireland," brought into the House of Commons by Mr. Secretary Hobart, in Consequence of his Majesty's Recommendation, delivered by Lord Westmorland, in his Speech to both Houses of Parliament, January 10th, 1793. The Bill passed both Houses, and received the Royal Assent the 9th of April, 1793.

By the above Bill the Roman Catholics of Ireland obtained every civil Privilege and Advantage to which Protestants were entitled; save only their obstinate Refusal of the Oath of Supremacy, and of the Oaths and Engagements prescribed to be taken by the Test Acts, precluded the few Irish Peers of that Persuasion from voting in the House of Lords, and their Commoners from Seats in the House of Commons; they were also by the same Means precluded from filling about thirty-two Civil Employments, among which were the Offices of Lord Lieutenant, Lord Chancellor, Judges, and Commander in Chief of the Army.

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D U B L I N:  
Printed by R. Marchbank;  
FOR J. MILLIKEN, No. 32, GRAFTON-STREET.  
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THE  
S P E E C H  
OF THE RIGHT HONOURABLE  
THE LORD HIGH CHANCELLOR.

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WHEN this subject came before your Lordships in the last Session of Parliament, it was my determination to pass it by in silence, because I was taught to believe that the bill which was then agreed to, would have given content to the Roman Catholics of Ireland; and I have always felt peculiar reluctance in discussing their political claims, feeling it to be impossible not to recur to past injuries and aggressions, which it is my most earnest and anxious wish to bury in eternal oblivion. I could wish again to pass it by. But when the epidemical phrenzy of the day has reached even that grave and Reverend Bench, and a learned Prelate has thought fit most wantonly to pour forth a torrent of exaggerated miststatements, and inflammatory declamation against the existing government in this country for two centuries, I cannot pass by his indiscretions unnoticed and un reprehended. Before I allude more particularly to what has fallen from him, I shall take leave to assume the office of his apologist, and to attribute some of his indiscretions to their genuine cause:—“ To radical ignorance of the laws of the country whence he has

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come, and of the history, the laws and constitution of that country into which he has been transplanted."

As to the general distinction between Protestant and Catholic, if I know myself, I have not a spark of religious bigotry in my composition. It is my firm and decided conviction, that in the private intercourse between man and man, it matters not to what particular sect he belongs, if he adheres conscientiously to the principles and precepts of the Christian Religion. But when the Parliament of Ireland is called upon in high and authoritative tones, to deliver up to a great majority of the people, professing the Popish Religion, the efficient political powers of a Protestant state, it behoves every sober and thinking man to look to the real situation of the country, and to see whether, if this surrender is made, any security will remain for our connection with Great Britain, and the maintenance of a Protestant establishment in Ireland.

I should be extremely sorry that any thing which may fall from me were to stop the progress of this bill:—I do believe, after what has passed upon this subject in Great Britain and Ireland, it may be essential to the *momentary* peace of the country, that your Lordships should agree to it; and I do not by any means desire to be responsible for the consequences which might follow its rejection; and therefore I hope it will be understood, that much as I disapprove the principle of this bill, whatever I may say upon the subject, is intended to open the eyes of the people to the real state of this country, in the hope, if it be possible, to stop the further progress of innovation.

I lament as much as any man, that religious bigotry and religious distinctions should prevail amongst us; I very well know they have proved the source of bitter calamity to the people of Ireland, and must necessarily, so long as they exist, retard her progress as a nation. Religious bigotry produced Tyrone's rebellion in the reign of Elizabeth

Elizabeth—religious bigotry produced the rebellion in 1641, and the horrid excesses which attended it—religious bigotry produced the rebellion in 1688, and the unexampled tyrannies and proscriptions of James and his Parliament. And I am sorry to say, and my opinion is formed from general and promiscuous habits of intercourse with the people for more than twenty years, that religious bigotry is at this hour as rank in Ireland as it was at any one period to which I have alluded. Nay more, I am satisfied that a very great majority of the inhabitants of Ireland, are as zealously and superstitiously devoted to the Popish faith, as the people of Spain, or Portugal, or any the most bigoted districts of the German empire. Far be it from me to state it as a circumstance of reproach ; on the contrary, I think that a cordial attachment to the religion which they profess, redounds much to their credit ; and I cannot but wish that in this particular, the Protestants of the established church would take example from their Catholic brethren. But when their political claims are to be discussed in Parliament, the personal merits or demerits of the men, ought wholly to be dismissed from our consideration. In my mind, we ought only to look to the principles of that religion which they profess, and to the unerring influence which they have had upon the political government of every nation in Europe for centuries ; and if we look to the subject in this point of view, I will be bold to say, that the page of history does not furnish a single instance in which Protestants and Papists have agreed in exercising the political powers of the same state ; and so long as the preposterous claims of the Court of Rome to universal spiritual dominion over the Christian world, shall be maintained, it is utterly impossible that any man who admits them, can exercise the legislative powers of a Protestant state with temper and justice.

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It is a melancholy truth, that there is not a country in Europe, in which the reformed religion has been established, where its progress has been so slow and inconsiderable as in Ireland: and it seems to be the strongest argument that has ever occurred to rational beings, to urge the general abhorrence in which the Protestant religion is held by a great majority of the people, as a reason for admitting them to a full participation of the political powers of a Protestant state: and yet this is the strong ground upon which the advocates for Catholic emancipation, as it is called, have rested their claims.

They tell us, that the expectation of making this a Protestant country is vain; that three millions of the people are unalterably devoted to the Catholic faith, and that justice forbids their exclusion from the state. That the people of this country have been uniformly and unalterably devoted to the Popish faith, is a truth too notorious to be disputed. At a time when other nations of Europe were engaged in religious controversies and innovations, *they* were in a state of barbarism and ignorance, which had sunk them below the reach of curiosity or speculation: old habits of licentious power had long engaged them in acts of resistance to the British government, and therefore the example of the English settlers, would alone have been sufficient to make the Reformation odious to them; but from the first moment that the Act of Supremacy was promulgated in this country, the habitual aversion of the natives to the English name and nation, heated by religious antipathy, became savage and inveterate. Hence it was, that during the reign of Elizabeth, Ireland was a scene of unremitting insurrection and rebellion, which was finally quelled by Lord Mountjoy, early in the reign of James I.—a rebellion so extensive, that at the termination of it, nearly the whole of the Province of Ulster was forfeited to the Crown for treason; and the extent

extent of this confiscation laid the first foundation for civilizing Ireland. A company was established by James I. at London, for planting new colonies in the Northern counties, the forfeited lands were divided into moderate shares, tenants were brought over from England and Scotland, the Irish were removed from their hills and fastnesses, and settled with the new planters in the open country ; their old customs were abolished, and the English law substituted for them ; peace and industry seemed to be established, and to secure to his Protestant plantation a predominant influence in the state, King James erected sixty-seven corporations, with the privilege of sending representatives to Parliament ; which exercise of his prerogative was loudly complained of by the native Irish, as an encroachment upon their inherent rights ; insomuch that for some time they refused to allow the burgesses returned to Parliament by these corporations, to vote for a Speaker ; but having been at length defeated in this act of resistance, they sent over a deputation to King James, to complain of the injuries which they had sustained by being thus overbalanced in the State by his English colonists. And it is a fact well worthy of observation, that the descendants of these same English colonists, are the men who at this day call aloud for the annihilation of charters, which were granted by the Crown for the protection of their ancestors, which have for two centuries proved *their* protection, and are now more than ever necessary to enable *them* to stand their ground. And if the Parliament of Ireland shall ever be induced to commit this unwarrantable act of power, the men who now so loudly call for it, will be the first victims of their own restless folly.

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which had subsisted between the two nations, seemed to have been obliterated ; they were in some degree incorporated with each other, and had apparently lived together in peace and amity. This, however, proved to have been but a temporary and deceitful tranquillity : the interests of the old Irish Catholics, as to property and religion, stimulated them to revolt, the violence of English party, to which Strafford had fallen a victim, had considerably weakened the English government in this country, and the Court of Rome, taking advantage of the natural propensities of the Irish, and the distracted state of England, first concerted, and afterwards publicly fomented the rebellion of 1641 ; which, after desolating this country for a period of seventeen years, terminated in the extinction of the principal families, and in nearly a total revolution of the property of Ireland ; for upon the final execution of the Acts of Settlement and Explanation, it appears by the Down survey, that seven millions eight hundred thousand acres of land, were set out by the Court of Claims, principally, if not wholly, in exclusion of the old Irish proprietors ; and in this general wreck, it is too true, that the fortunes of some innocent and loyal subjects were involved.

During the reign of Charles II. no attempts were made to promote rebellion or insurrection in Ireland, but from the final execution of the Acts of Settlement and Explanation, down to the present day, the people of this country have consisted of two distinct and separate castes ; the one, with a short intermission, possessed of the whole property and power of the country ; the other expelled from both, in consequence of unremitting and inveterate rebellion, and resistance to the English government and English connection ; the one acknowledging the powers civil and ecclesiastical, entrusted to the Crown by the Constitution ; the other obstinately disclaiming all ecclesiastical obedience to their

their lawful Sovereign, and acknowledging an unlimited ecclesiastical jurisdiction and authority in a foreign Prince. In this situation, it is not much to be wondered at, that the party excluded should seize the first occasion which offered, to recover the power and property which had been wrested from them, and to restore the religion of their ancestors to its ancient splendour and dominion; and accordingly whenever the occasion has occurred, they have invariably availed themselves of it, and if the occasion should hereafter occur, they will again avail themselves of it, to struggle for a separation from England, unless hereditary hatred, and religious antipathy, and love of power, and love of property, shall cease to stimulate and inflame the human mind. As to the loyalty of the Irish Catholics during the last century, I do not consider it to be an argument in favour of this bill, which goes to admit them very far into the state. If I am to look back into their conduct, to justify the principle of this bill, I must look back to the time when they had political power: and of the use which they made of political power, we have a pregnant example in the memorable acts of James II. and his Parliament, in 1689.

A Right Rev. Prelate has thought fit to enter into a full justification of every thing which passed in Ireland at that memorable period. He asserts, that what we call rebellion, was but a political error, for that the English Parliament had no right to transfer the allegiance of the people of Ireland from James II. to the Prince of Orange; that although the Parliament of England had voted an abdication of the throne by James, and recognized the title of King William and Queen Mary to the throne of England, James II. continued to be lawful King of Ireland. It would have become the Right Rev. Prelate, before he hazarded this wild and treasonable assertion, to look to the laws and constitution of this country, to which he has

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sworn allegiance, and to reflect upon the duty which he owes to the country that gave him birth. And if the Right Rev. Prelate had taken the trouble to turn over our statute book, he would have learned, that, by an act passed in this kingdom in the reign of Henry VIII. the King of England is declared to be *in that right alone*, King of Ireland: he would have learned, and perhaps it may not be amiss that he should know, that by that statute, any person, who by writing or imprinting, or by any exterior act or deed, shall dispute the title of the King of England to the Crown of Ireland, is declared guilty of treason; and therefore I take leave to tell him, that in future he ought not in point of prudence, to soften the crime of rebellion in this country against the Crown and government of Great Britain, into mere political error: he ought not in point of prudence to assert, that the subjects of Ireland were not bound to allegiance to King William and Queen Mary, because from the first moment that their title to the Crown of Ireland was recognized by the British Parliament; the allegiance of the people of Ireland was transferred to them by the authority of an Irish statute, and the denial of it is, by the same statute, a crime little short of treason; if attended with any exterior act or deed, the denial would fully amount to treason. If the Right Rev. Prelate supposes that the act of William and Mary passed in this kingdom, was the first law which declared the inseparable union of the two Crowns, he is extremely mistaken; that act was but a further recognition of the principle which was before fully established, and from the time of Henry VIII. to this hour was never questioned or doubted by any man who has been conversant with the laws and constitution of this country.

Having thus dismissed that Right Rev. Prelate for the present, I shall proceed to the subject immediately before us.

us. The first step taken by James on his landing in Ireland, was to summon a parliament, and in his proclamation for calling it, he acknowledged the great obligations which he owed to his Catholic subjects for the chearfulness and vigilance with which they had armed in support of his cause. With the writs of election circular letters were written by Lord Tyrconnel and the Popish Bishop of Clogher his Secretary, to the Sheriffs, naming the persons whom they were to return, and these instructions were implicitly obeyed. On the 7th of May 1689, this memorable Parliament met, and having declared their full recognition of James's title to the crown of Ireland, and their abhorrence of the Prince of Orange's usurpation, and thanked James and his Deputy Tyrconnel, for that glorious meeting, they proceeded to business. Their first act was the introduction of a Bill for the repeal of the Acts of Settlement and Explanation, and in three days this momentous Bill, by which the property of thousands was annihilated, passed the House of Commons and was sent up to the Lords, where it was passed, without allowing the sufferers who petitioned against it to be heard at the bar. It remained only for them to appeal to the justice of James and to the solemn assurances of protection which he had made to his Protestant subjects on his first landing in Ireland—and accordingly a strong and affecting remonstrance on their behalf was drawn up by Judge Keating, and presented to James—but in vain. The Act of Repeal received his assent, and it is worthy of observation that the preamble contained a full justification of the rebellion of 1641. This Act went further than a mere repeal of the Acts of Settlement and Explanation. It confiscated the estates of all persons who on the 1st of August 1688 were in rebellion to James, in England, Scotland or Ireland, or who had from that day corresponded with rebels; and although the offenders might have had but

limited estates, the Act confiscated the inheritance; the proprietors were made punishable for waste committed during a possession of twenty-three years, derived under two Acts of Parliament, and the personal estates of such of them as were absent were vested in James, to be seized by the Commissioners of the Revenue; and to complete this system of legislative jurisprudence, severe penalties were enacted against those who had the personal estates of absentees in their possession, and did not make discovery of these to the Commissioners. But this or any other act of severity and injustice, which has ever been put in practice in the shape of a law or of proscription, fell far short of the Act of Attainder passed by this Parliament, which was designed to compleat the system which the Act of Repeal had so notably begun.

Having collected the names of all such Protestants as had escaped the plunder of the Act of Repeal, they proceeded to attaint of High Treason by name, thirteen hundred and five persons of both sexes who were resident in Ireland and amenable, unless they surrendered on or before the 10th of August 1689. They next attainted several persons who had quitted Ireland before a certain day named, and who did not return within a limited time. And lastly, they attainted by name all persons usually resident in England, who had estates in this country, unless they should manifest their allegiance to James before the 1st of October 1689; which manifestation of their allegiance to him, would necessarily have exposed them to the penalties of treason in England. What seemed even more cruel than this indiscriminate attainder, the Act vested in the Crown the estates real and personal, of all such persons as were absent from sickness or non-age, till they should give sufficient proof of their loyalty; and in case they did so before the last day of the term next after their return to Ireland, they were then to be at liberty to sue for

for their estates before Commissioners appointed for the execution of the Acts of Repeal and Attainder, or in the Courts of Chancery and Exchequer.

By this Act more than two thousand four hundred persons were proscribed by name, and condemned to suffer all the persecution which the most rancorous and vindictive malignity could inflict upon them ; and to fill the measure of iniquity, a restraint was laid upon the prerogative, by which all pardons not enrolled before the last day of November 1689, were declared null and void. The persons present and absent who were proscribed by this Act were attainted by name, a limited time was appointed for their coming in ; but left this might in any degree, defeat the malignity and injustice of the act, it was carefully concealed by the Chancellor Sir Alexander Fitton, and no Protestant was allowed to see it till the time for surrendering and enrolling pardons had expired ; and even if the Act had been promulgated on the passing of it, the persons who were absent, and attainted by name, could not have had notice to surrender, because there was a clause in the Act which made a correspondence with rebels treason, and the act of giving notice to surrender, would have subjected the party giving it to attainder. When this Act was presented to James for his assent, Sir Richard Nagle informed him, " That some of the persons named were attainted upon such evidence as was satisfactory to the House of Commons, the others upon common fame."

Having thus disposed of the lives and properties of the English Protestants, who had been settled in Ireland, the next object of their care was the Protestant religion. An immediate repeal of the Act of Supremacy would have made the cause of James desperate in England ; it became necessary, therefore, to proceed with some degree of caution in extirpating the Protestant religion ; accordingly an Act was passed allowing unbounded liberty of conscience,

science, and enacting, that all tythes payable by Papists should be paid to their priests only, and that they should be recovered by actions at law, a favour which was denied to the Protestant Clergy, who were left for recovery of their tythes to the Ecclesiastical jurisdiction. To render this jurisdiction, however, completely abortive, all dissenters from the established church were exempted from it, and therefore a suggestion of this exemption was a sufficient ground for a prohibition to the Ecclesiastical Court, and even if a sentence of the Ecclesiastical Court for tythes was obtained by a Protestant clergyman, the writ necessary to enforce it was withheld by the Chancellor.

The Act of Charles II. making provision for the Protestant clergy in cities and towns corporate was repealed, and the arrears due to them were cut off. The Provost, Fellows and Scholars of Trinity College were dispossessed; Doctor Moore a Popish Priest was made Provost—the Fellowships were bestowed upon Jesuits and Friars, and the old possessors were forbidden to appear together in any numbers exceeding two, on pain of death. Their Protestant Bishoprics were seized, and their Revenues paid into the Exchequer, and Protestants were forbidden to meet in their churches or elsewhere, in any numbers exceeding two, on pain of death, and their churches were converted into barracks and prisons.

Far be it from me in going into this detail, to revive the memory of these injuries and aggressions, but so much has been addressed upon this subject to the passions, and so little to the judgment of Parliament, that I hold it to be the bounden duty of every honest man, to oppose broad and glaring facts to the loud and impudent clamour with which we have been stunned, upon the subject of Protestant monopoly, and Catholic depression. The fact is, that the penal laws enacted in this country to abridge the power and influence of the old Irish Catholics, was a

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code forced upon the Parliament of Ireland by hard necessity—a code which was dictated by self-defence and self-preservation, and has from time to time been relaxed with an open and unsuspecting liberality, which has been but ill requited by that body of men who have profited by it: and I could wish that the Catholics of the present day, who complain that they now live in a state of slavery, would condescend to compare their situation in point of civil liberty, first with the situation of their Catholic brethren in any other kingdom of Europe; I would next desire them to compare their situation with that of the Protestants of Ireland in the reign of James II. and last of all, I would desire of them to compare their present situation in point of civil liberty, with that in which they must have stood at this day, if their ancestors had succeeded in establishing James II. on the throne of Ireland.

If civil liberty be their object, they must acknowledge their obligations to King William, who delivered this country at the head of a British army, from a state of abject slavery and persecution inflicted upon it by their ancestors. And if civil liberty be their object, they must acknowledge the wisdom and necessity of the old Popery laws, to which I do not scruple to say, Ireland stands indebted in a great measure for her internal tranquillity during the last century. Let modern philosophers and metaphysicians who exclaim against this code as subverting the immutable principles of sentiment and fraternity, and the imprescriptible rights of man, condescend to look to the situation of the Protestant settlers in Ireland at the Revolution. They were an English colony settled in an enemy's country, which had been reduced by the sword to a sullen and refractory allegiance—in numbers they did not make up one-fourth of the inhabitants; the experience of a century had proved, that from an opposition of laws, customs, interests, and religion, the natives of the country had contracted

tracted a rooted and incurable aversion to them ; they could not therefore stand their ground, unless by disarming the enemies who surrounded them, and by cultivating the confidence and affection of the British nation. When I talk of disarming their enemies, I do not mean stripping them of offensive weapons ; if permanent tranquillity was their object, it was essential to disarm the natives of Ireland of all political power. What was the policy of England at the Revolution ? To define and circumscribe the prerogatives of the Crown, and to establish the power of Parliament. The Catholics in that country were but as a drop of water in the ocean ; they had been excluded from sitting in Parliament by the Test Act, experience had satisfied the people of England that political power in any department of the state in the hands of Papists, was inconsistent with the maintenance of a Protestant establishment ; and therefore, in the act for settling the Crown, the Parliament of England guarded the only department in the state which could by any possibility be open to Popish influence against it, and imposed a condition upon the Kings of England not to hold communion with the Church of Rome on pain of forfeiting their Crown.

What would the people of England have said, if at the Revolution they had been told that a Protestant King was a sufficient security to them for a Protestant establishment, and therefore, that they ought on principles of sentiment and fraternity, to open the two Houses of Parliament to the English Catholics ? The people of England well know that British liberty, civil and religious, lives in the power of Parliament, and therefore that a Protestant establishment would be infinitely safer with a Popish Prince on the throne, and Protestant Houses of Parliament to controul him, than it could be in the hands of a Protestant Prince, controuled by a Popish House of Lords and Commons. And if a doubt could be entertained

tained upon the subject, the Revolution stands a memorable and striking example, that so long as the British constitution is preserved, one great security of the people for their civil and religious liberties will be, a total and unqualified exclusion of Popish influence from the two Houses of Parliament.

A Right Rev. Prelate, to whom I have been obliged to allude so often, has been pleased to assert, that the Revolution in England gave protection to all; that no laws were enacted against Catholics in England; but that at the Revolution, the people of Ireland were delivered over to civil tyranny. I am therefore again compelled to inform that Right Rev. Prelate, that in this assertion he has betrayed gross ignorance of the laws of England; for if he will take the trouble of turning over the English statute book, he will find, that the disabilities imposed by the English Parliament during the reign of King William, upon the Catholics of that country, were infinitely more extensive than the disabilities inflicted upon the Irish Catholics during the same period. He will find, that in the reign of King William, the English Catholics were disabled from purchasing real estates; a policy not adopted in this country, till the reign of Queen Anne. He will find, that double taxes were in some instances imposed on the English Catholics; a policy which was never adopted in this country. And he will find, that the laws which he has condemned as inflicting peculiar civil tyranny at the Revolution upon the Catholics of Ireland, were nearly transcripts of English statutes, enacted upon the same subject, during the same period; and if any thing further were necessary to acquit the Parliament of this country of the accumulated charges of tyranny and persecution, brought against it by that Right Rev. Prelate, I desire to refer him to one of the first Acts passed in this kingdom after the Revolution, an Act to unnerve the arm of

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the Ecclesiastical Court upon convictions for recusancy, by abolishing the writ *de Hæretico Comburendo*.

It appears from the Journals of Parliament, that during the whole of King William's reign, repeated applications were made by individuals, for relief from sufferings inflicted upon them, by the bigotry of parents, in resentment for their conformity to the Established Church, and in many instances private Acts of Parliament were passed for their relief: and there is a striking evidence upon the Journals of this House, that during the same period, your Lordships ancestors had well-founded apprehensions for their safety, and doubted the practicability of being able to maintain their ground in Ireland.

\* In the second year of the reign of Queen Anne, a committee of this House was appointed to take into consideration the state of the nation; and on the 25th of October in that year, the Committee reported their opinion, *That upon due consideration of the present constitution of this kingdom, such an humble representation be made to the Queen of the state and condition thereof, as may best incline her Majesty by such proper means as to her Majesty shall seem fit, to promote such an union with England, as may qualify the states of this kingdom to be represented there.* The proposition was not listened to by the Queen's ministers, and it was not till this attempt to unite the Parliaments of both countries had proved abortive, that the great code of the Popery laws of Ireland was enacted; a code, I will admit, of great severity, but evidently forced upon the Parliament by necessity; a code highly injurious to the landed interest of Ireland, and inevitably diminishing the value of every man's estate who voted for it. But the landed gentlemen of Ireland were driven to the hard alternative of again hazarding the possession of their estates, or of holding them subject to this incumbrance.

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From the time when these laws were passed, down to the year 1745, this country was not threatened with insurrection ; but I have been informed by a person, who never in any instance deceived me, that in the year 1745, the Catholics of Ireland waited only for the signal to rise, from a southern Earl, whose great possessions have been since dissipated by the levity of his grandson, and who was, I believe, in that year arrested in England on suspicion of treason ; and that he waited to give them the signal, only till it could be ascertained whether an insurrection in Ireland would have had effect. And as the opinion of Lord Chesterfield has been alluded to by a noble Earl upon this subject, I beg to refer him to the Speech delivered from the Throne, at the opening of the session in the year 1745, in which Lord Chesterfield's opinions of the situation of Ireland, and of the views of the Irish Catholics, are stated very explicitly. Fortunately for them, the then Pretender to the Throne was at once defeated in his attempt ; and this country has certainly, during the whole of the present century, remained in a state of uninterrupted tranquillity ; at least we have been perfectly free from insurrection or rebellion ; and I am confident from the year 1745, nearly to the present period, no dispositions towards either have existed : accordingly the Legislature has thought fit from time to time, from the year 1778, to relieve the Roman Catholics of Ireland from all the severe restrictions which pressed upon them ; insomuch, that at this day, they live in a state of as perfect civil liberty as any other description of the King's subjects. Their characters, their persons, and their property, are protected by the same laws which protect the characters, the persons, and the property of Protestants : for as to the complaint made by their petition, that their personal estates are liable to discovery, it is altogether without foundation, and they know it ; and with

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respect to their religious worship, they enjoy a full and perfect toleration : it is not now as formerly, suffered by connivance ; it is put under the protection of the law.

I have already stated, that the domestic tranquillity of this country during the present century, was in a great degree to be attributed to the old Popery laws, which had disabled the native Irish from embarrassing British government, or renewing hostilities against the English settlers. But there was one other cause to which it must also be attributed, and to which we must always look for maintaining peace and good order in this country. From the Revolution, down to the year 1782, the system adopted by that body of the people, in whom the power and property of the nation had centered, was to cement the connection which had so long subsisted between Great Britain and Ireland to their mutual advantage, and to cultivate the confidence and affection of the British nation ; but in the year 1782, a new scene was opened in Ireland :—having advanced claims on our part, which were acceded to by Great Britain in their fullest extent, the two Houses of Parliament thought it necessary to come forward, and publicly assert the principle which long experience had proved to be essential to the salvation of this country ; and in their address to the throne upon that occasion, they plighted the national faith to Great Britain, for ever to maintain the connection between the two countries, and to stand and fall with the British Nation : and it would have been fortunate indeed, for this country, if the persons who stood forward on that day, had kept in their recollection the solemn engagement to which the nation then stood plighted, and that her existence depends upon a scrupulous and honourable adherence to it. But fatally for her peace and prosperity, from the year 1782 to this hour, the policy of men, who call themselves the friends of the people, has been, to make Ireland a scene of embarrassment

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to the British government; and to lose no opportunity which they could embrace, to foment jealousies and disunion between this country and Great Britain. The policy has been, upon every occasion to hold up Great Britain to the people, as their natural rival and enemy, and to teach them to believe, that the general interests of the empire must in every instance be sacrificed to the local advantages of Ireland; till at length they have raised a general outcry against English influence, and English connection; which, if I am to believe the public prints, has been echoed in Parliament, and the *present wise and temperate system* of Irish policy is, to concentrate the force of Irishmen of all religions and descriptions, against both. The avowed object at this day, of Irish reformers and Catholic emancipators, is separation from Great Britain; and if they shall succeed in their hopeful projects, separation or war must be the inevitable issue.

From the first moment that this fatal infatuation appeared in the other House of Parliament, I stated in my place in that House, that it would inevitably lead to the event which I have now only to lament. In the year 1785, and again in the year 1789, I did in my place in the House of Commons, state what I knew to be the real situation of this country, and warned the nation of the consequences to which the giddy and fantastical speculations of men, who had then assumed the reins of Government would inevitably lead; and let every dispassionate man in the nation, look back to what has passed from the year 1782, and he will see to whom he may attribute the convulsed and disjointed state of this country at the present day. Till modern Irish patriots had succeeded in fomenting party heat and rancour, and in dividing the Protestants of Ireland into opposite and inveterate factions, contending with each other, we never heard of any claim of political power advanced by the Irish Papists; we never heard, even when they

they desired to be relieved from the severe pressure of laws affecting their rights of property, and their religious worship, of any thing in the shape of a claim of right ; whatever they desired, was sued for as favour and indulgence ; and whatever was granted to them by Parliament, they accepted with gratitude and duty : but from the first hour that our modern patriots succeeded in dividing the Protestants of Ireland, whose opinions and interests ought to be the same, into faction and emulation, then the tone of the Irish Catholics was altered ; then, for the first time, they stood upon their numbers, and demanded, as of right, admission into the state : then, for the first time, did they shake off all connection with the leading respectable men of their own communion, whose only crime was their disapprobation of violence and sedition.

I cannot here pass by the scurrilous and abominable calumnies bestowed in the last Session of Parliament, by the men who now govern the Catholics of Ireland, on Lord Kenmare and Lord Fingall, and many other Roman Catholic noblemen and gentlemen of approved worth and loyalty, for no other reason but that they declined to join these worthy personages in bearding the Parliament, and desired to submit their merits, only to the wisdom and liberality of the Legislature. I cannot forget, that these same worthy personages had framed an instrument which they called a petition to the other House of Parliament, couched in terms so violent and indecorous, that no member of that House would present it. And I cannot forget, that immediately after an Act had passed conferring great and essential benefits upon the Roman Catholics of Ireland, these same worthy personages, in concert with a Society of Jacobins and Levellers, who have established themselves in the metropolis, issued a circular manifesto to every parish in Ireland, asserting that a great majority of the people were in a state of abject slavery and depression, and recommending

recommending to them to elect a Popish National Assembly, after the example of their French neighbours and conpeers, in order to force a repeal of the laws by which they are excluded from political power. And I cannot shut my eyes to what has passed upon this subject in the present Session of Parliament.

The Bill now upon the table has been backed by authority, and is now by authority presented to us as a demand of right, by a great majority of the people, who assert that your church establishment is a prophane usurpation upon a foreign Prince, and claim to be admitted to a full participation of the political powers of the state, by which alone your church establishment can be supported. If the Parliament of Ireland is to listen to the claims of the Popish subjects of this country, to be admitted to political power on the ground of right, I desire to know, where are we to make the stand ? Religion is the great bond of society, and therefore, in every civilized country there must be a religion connected with the state, and maintained by it against all attacks and encroachments ; and therefore, I deny the *right* of any man who dissent from the religion connected with the state, to demand admission into the state, upon which alone the established religion can rest for support. If the principle is once yielded, in my opinion, it goes directly to the subversion of all civilized government. Should the Parliament of Ireland once admit the claims of Irish Papists to political power, on the ground of right, I desire to know where we are to draw the line ? If Papists have a right to vote for representatives in a Protestant Parliament, they have a right to sit in Parliament ; they have a right to fill every office in the state ; they have a right to pay tythes exclusively to their own clergy ; they have a right to restore the ancient pomp and splendor of their religion ; they have a right to be governed exclusively by the laws of their own church ; they have a right to seat their bishops in this House ; they have a right to

to seat a Popish Prince on the Throne; they have a right to subvert the established government, and to make this a Popish country, which I have little doubt is their ultimate object; and therefore, if I were to look only to the manner in which this Bill has been brought forward, in my judgment, we are about to establish a fatal precedent in assenting to it.

But if the manner in which it has been brought forward, flood clear of all exception, see whether the principle of the Bill can be justified by sound policy. The great argument in support of it has been, that we ought to unite men of all religious persuasions in sentiment, and in support of the present constitution: If this could be effected, I am free to acknowledge it would be a momentous object; but so long as man continues to be a creature of passion and interest, I shall never have any faith in the efficacy of a Government founded upon principles of sentiment and fraternity; and therefore, despairing altogether to see a renewal of the golden age, I incline strongly in framing laws for the government of man, to reject speculation, and to abide by experience; and upon this particular subject if I am to look to experience, the annals of Europe do not furnish an example of Protestants and Papists agreeing in the exercise of political power in the same state. This has not been peculiar to Ireland, if we look to England during the whole of the last century, if we look to France during five successive reigns, if we look to any other nation of Europe where the reformed religion has found its way, the progress of discord has been uniformly the same. The contest has originated in religious persecution, has proceeded to civil war and massacre, and has ended only in the extermination of one or other of the contending sects. It is impossible, that mere difference of opinion upon speculative points of faith, could have produced effects so fatal to the peace of society; and therefore, if we are to trace the evil to its source, it will be found

found to spring from the active, and enterprizing, and intolerant spirit of the Court of Rome, and from the canons and constitutions of the Romish church, which, under the specious pretext of religious ordinances, are palpably framed for the attainment of unlimited secular power to the Pope and his votaries.

Here I shall beg leave to take a distinction, which rests upon authority much higher than any I can give it, and state it in the words of Lord Somers :—*Those who adhere simply to the Church of Rome, are good Catholics. Those who adhere to the Court of Rome are Papists, enemies and traitors to the realm of England, and utterly unfit for any trust in any Protestant country.* And therefore, I meddle not with the religious speculative opinions of any Roman Catholic. If he chuses to subscribe to articles of faith, which my reason and understanding reject, that is his business, not mine. But I object to all intercourse and communication with the Court of Rome ; I object to the canons and constitutions of the Romish church, and to the pernicious influence which they have had, and which they always will have, upon the government of every Protestant state which is not fully and effectually guarded against it.

The cheat, by which the Court of Rome heretofore imposed upon the ignorance and credulity of Europe, and still imposes upon the ignorance and credulity of Ireland, is a claim of universal and unlimited spiritual power in every Christian state, derived to the Pope by Divine commission, and paramount therefore to all civil institutions : a power delegated by our Saviour to St. Peter, whom they call Prince of Apostles, and by him transmitted in regular succession to every man who has been elected by the College of Cardinals to the Papal chair ; and under colour of this monstrous imposition, which one would suppose needs statement only for detection, has the Court of Rome for centuries,

centuries, embroiled in civil discord and religious dissensions, every nation of Europe which has embraced the Reformed Religion, and to which her pernicious influence has extended. The corner stone of her policy, has been to promulgate articles of religious faith, which necessarily gave to the Pope a very great degree of secular power in every state, acknowledging his spiritual supremacy ; and having laid this foundation, the laws of their Church proceed to denounce as heretics and schismatics, every sect of Christians who presume to dissent from any one article of religious faith, promulgated by the Holy Fathers.

\* The canon declares, *That he who doubts the faith is an infidel ; nor is he to be believed who is ignorant of the true faith.* And here I must recur to the inference drawn from this Constitution of the Church by all the Romish canonists and commentators, because in my mind it furnishes a full refutation to the charges of oppression and injustice, which have been so loudly made by the Catholics of Ireland against the Legislature, who in the reign of George II. passed an Act disabling Papists from serving upon Grand Juries if Protestants could be found, and disabling them also from serving upon Juries in all actions between Protestants and Papists : it was a statute framed precisely to meet the law of their Church, which is, † *That a heretick is not admissible as a witness or accuser against a Catholic, but between heretick and heretick, he is a competent witness.* And therefore I incline to think that our predecessors in Parliament, though not so great orators as the modern race of philosophers, were probably somewhat better informed statesmen and politicians.

Having thus defined heresy, the law proceeds to provide punishment in this world and the next, and declares, † *That all hereticks and schismatics, although they practise the Christian*

\* Gonzales in Septem. decretal, Lib. 5, Tit. 7, de Hereticis, Cap. 1.

† Ibid. Gonzales. † Ibid. Gonzales, Cap. 3.

Christian virtue of charity in its fullest extent, and although they shed their blood for Christ, yet that they will most indubitably partake of eternal fire with the Devil and his Angels, unless, before the end of this life, they shall be incorporated with and reconciled to the Catholic Church. For neither baptism nor charity, however copious, nor even martyrdom, can give a chance of salvation to any man who does not hold the unity of the Catholic Church. From hence, say the Doctors, Lutherans and Calvinists who have suffered at the stake in defence of their faith, will find themselves bitterly mistaken if they suppose, that they suffer martyrdom for the name of Christ. They have been committed to the flames in this world, and will suffer perdition in the next. If these Christian law-givers had stopped here, and had been satisfied with consigning heretics to the Devil and his Angels, I own I should have thought the law perfectly harmless and inoffensive. But having provided a warm reception for them in the next world, they proceed to take care of their temporal interests in this, and to enact every species of civil penalty and proscription against all sects of Christians, whom they have thought fit to denounce as heretics; and therefore, by their law, \* heretics, their aiders, abettors, defenders, and counsellors, are in the first instance subject to excommunication; if they neglect to make satisfaction to the Church within a year, then they are declared infamous; in consequence, their property is confiscated to the Pope's Exchequer. They are deprived of all jurisdiction, nobility and dignity. They are debarred admission into all offices, benefices, and public councils. They are incapable of being elected, or of electing to them. They are also incapable of making wills, and all jurisdiction, civil and criminal, is denied to them; for, says one of their commentators, they have no more jurisdiction, than the

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benches

\* Conc. Gen. Later. Celeb. Sub. Innocent 3, in Crab. Vol. 2. Cencil. Gonzales, Ibid. Cap. 13, Sanchez, fide disp. 21.

benches they sit upon. Children are absolved from all obligation of duty to their heretical parents. No length of possession will give a title to estates. If the possessors or their fathers knew that he who left them the estate was an heretick, or if he was at any time suspected to be so whilst he lived, or if at any time within forty years after his decease, it appears he was an heretick ; \* in none of these cases is there room for prescription : but the estate must be seized in whose hands soever it be found, even if he be a Catholic.

It would be endless to travel through the system of persecution and proscription enacted by the laws of the Romish Church, against all sects whom they describe as heretics. It is justified upon the principle of heresy being treason against the Divine Majesty, and therefore a crime infinitely greater than civil treason ; and it is also a fundamental principle of their law, that all Catholics invested with secular power, are bound to exercise it for the extirmination of heretics, † so decreed expressly in the Lateran Council ; and by a decree of the Council of Constance, it is declared that all contracts tending to the injury of the Catholic Faith are null and void, and this although they be enforced by the sanction of an oath : for, say their commentators, an oath cannot be the bond of iniquity. I cannot but wish, therefore, that young gentlemen who have publicly urged the expediency of a total and unqualified repeal of the Popery laws, and have publicly offered to embrace their Catholic brethren, for the wise purpose of resisting English influence, would take the trouble to look into the laws of the Romish Church, where they will find the principles of fraternity, upon which their Popish fellow-subjects are ready to meet them, and where they will also find the constitutions by which they will be governed, if this

\* Sanchez, Lib. 2, Cap. 22. N. 41. Menachius, Sum. 5, Præscrip. N. 2.

† Gonzales, Lib. 5, Cap. 17, Tit. 7, de Hæreticis.

this should become a Popish country. And if they alone were to come under the lash of a Popish tribunal, I cannot but acknowledge that I should not feel any great compunction, in leaving them to taste the sweets of their wise speculations. It may perhaps be said that the power of the Pope and the laws of the Romish Church are become obsolete, and therefore that there no longer exists any good reason for continuing the restraints heretofore imposed upon Catholics: but I am confident that the old Romish superstition is, at this hour, as rank in Ireland as it was in the year 1641. I am confident that there now is, and always has been, a regular and constant correspondence and communication kept up between this country and the Court of Rome; and that the spiritual power of the Pope is at this day acknowledged as implicitly as it ever was at any period of Irish history.

It is perfectly well known that we have a Popish hierarchy in this country, claiming and exercising all Episcopal functions, under the immediate authority of the Court of Rome; and it is the boast of the Popish Bishops, that Ireland is a singular exception to the Catholic Church discipline of every other country in Europe, in which their religion is not connected with the state; that in other Protestant states, the heads of the Popish Church have not any Episcopal jurisdiction, being without sees, and denominated from antient sees, now a part of the Ottoman dominions, but that from the days of St. Peter, the Popish hierarchy has been preserved in Ireland by a regular succession of Prelates in the several sees, where they have always acted as Ordinaries; and accordingly there is in every diocese of Ireland, a regular Popish Consistorial Court, acting under the authority of the Pope, and entertaining causes of Ecclesiastical cognizance, which are decided according to the laws of their Forum, without regard in any sort, to the laws of this country—If proof

proof was wanting upon this most serious subject, I have it in my possession. A Popish Priest who acts as Judge in the Consistorial Court of Elphin, in the month of December 1791, cited parties who had lived together as man and wife, to appear in his Court in a cause of nullity of marriage ; they had been married by a Priest, and had co-habited—however the marriage contract was pronounced null and void, and the woman was turned loose upon the world. On her complaint to a neighbouring gentleman, one of the representatives of the county, he remonstrated against this proceeding—but in vain : the Consistorial Judge persisted in enforcing his sentence ; and, in justification of himself, enclosed to this gentleman a decree of the Council of Trent, *De Reformatione Matrimonii*, under which he had proceeded, and in the course of his correspondence upon this subject, which is now in my possession, he very gravely stated that an attack upon the laws of their Church, would be an attack upon the whole body of the Roman Catholics. That this being a clear case, he had full and final jurisdiction, for that appeals were made to the Court of Rome in causes of Ecclesiastical cognizance, only in cases of difficulty, *Vel propter Dignitatem Personarum*, as in the case of Henry VIII. and Queen Catharine.

I do not know how this proceeding may strike other men, but the avowed existence of a foreign jurisdiction in the heart of this country, governed by the laws of a foreign Prince, evidently framed for the subversion of all Protestant states, is to me a ground of most serious alarm ; and the wildness with which we are now proceeding in the modern philosophical system of Catholic emancipation, has very much increased my apprehensions of the danger arising from it : if this Bill shall receive the Royal assent, I must from that moment consider the Popish religion as virtually established by law in Ireland. The number of Popish Priests

Priests maintained in this country, certainly exceed two thousand ; I have heard them calculated at two thousand five hundred ; and it seems well worthy of consideration, that this great body of ecclesiastics exercising unbounded authority over their flocks, acknowledging an unbounded ecclesiastical power in a foreign Prince, and recognizing in their fullest extent the laws of a foreign state, is to be established by law, and let loose upon this country, totally free from all ecclesiastical controul, and disclaiming the authority of the temporal tribunals upon any subject, involving in it the interests of their religion.—If any man doubts that the Popish clergy deny the authority of the Temporal Courts, to this extent, let me refer him to the recent conduct of the Parish Priests of a Southern county. They were summoned in the last Session of Parliament to give evidence before a Secret Committee of the House of Commons, in order to disqualify a number of persons of their own communion, who had voted at the general election for the Gentleman who had been returned one of the representatives of the county ; to a man they refused to submit to the jurisdiction of the Committee, or to give evidence before it. And to the scandal and reproach of the tribunal which they had thus insulted, they were suffered to depart triumphantly, I do believe at the intercession of the Gentleman at whose instance they had been summoned, who entertained well-founded apprehensions, that if the House of Commons had proceeded to punish their contumacy, he would have been murdered on his return home.

It is therefore idle in any man to assert, or to affect to think, that the old mischievous Popish superstition is at an end in this country. The slow progress of the Reformation proves the general abhorrence entertained of the Protestant religion by the people ; the profound ignorance of the lower ranks qualifies them fully to receive any impression

pression which their Priests may chuse to make upon them; and the misfortune of the country is, that if their minds should be divested of a superstitious veneration for their Priests, such is the ignorance and barbarism of the mass of the people, that they would necessarily sink into a state of rude nature. But the Popish superstition of the country is not confined to the lower ranks, it flourishes with full vigour amongst the better order of the people: it is notorious, that the conformity of any one member of a Popish stock, to the Protestant religion, is considered as a great and irreparable family misfortune: and if the opportunity offers, the great object of the family is to put him into the hands of a Popish Priest on his death-bed, that, by a reconciliation to the Church, he may die in a state of salvation.—The old Popish High Church usurpations, have been fully and candidly asserted and avowed in a very modern publication, by Doctor Troy, the titular Archbishop of Dublin, a gentleman, whom I have not the honour to know but from character; and he has been uniformly represented to me, as a man of irreproachable manners and conduct. In this publication, which is addressed to the Catholics of Ireland, in a pastoral letter, he gives them some very good advice. He recommends to them a peaceable and loyal demeanor; reminds them of the allegiance which they owe to their lawful Sovereign; but in the same breath cautions them, most emphatically, not to depart from their ecclesiastical allegiance to the Pope. And declares to them, in broad and distinct terms, that the ecclesiastical jurisdiction and authority, assumed by the Kings of England, was, in its origin, and still continues to be, a prophane usurpation upon the inherent spiritual and ecclesiastical Primacy, not only of power and rank, but of real jurisdiction and authority of the Pope or Bishop of Rome, derived to him by Divine right, as successor to St. Peter, Prince of the Apostles in that see.

And

And in this pastoral letter, he tells his flock, in broad and distinct terms, that any deviation from their ecclesiastical allegiance to the Pope, or acknowledgment of ecclesiastical allegiance to their lawful Sovereign, must inevitably bring upon them eternal perdition. He has, in this pastoral letter, communicated one piece of information, and one only which is new to me,—and that is, that there is a standing Cabinet of Cardinals at Rome for the ecclesiastical government of Ireland.

I was always apprized that the Pope had established an Irish Nuncio resident at Brussels; but this Cabinet of Cardinals for the ecclesiastical government of Ireland, is new to me. I presume the Cardinal York is at the head of it, and therefore there can be no doubt, that the mild superintending spiritual influence of this Cabinet upon the Irish Catholics, will have the best effects in cultivating their hereditary attachment to the British government, and the British nation, and their natural affection for the established Constitution in Church and State. It is idle to palliate their attachment to the Court of Rome, by asserting that the Catholics of Ireland acknowledge only *canonical* obedience to the Pope. Canonical obedience to the Pope, is inconsistent with the duties of civil allegiance to a Protestant state. I consider civil allegiance to my Sovereign, to consist in an explicit acknowledgment of the powers which the constitution has entrusted to him, and in prompt and implicit obedience to the laws, civil and ecclesiastical, by which he governs his subjects. And I know that canonical obedience to the Pope, as enjoined by the laws of the Court of Rome, is utterly inconsistent with the duties of civil allegiance to my Sovereign, as enjoined by the laws and constitution of the British empire. And therefore I do not scruple to say, that, in my opinion, it is an act of insanity in the Parliament of Ireland, to open the efficient political powers of the state in any degree to Papists, holding

ing correspondence or communion with the Court of Rome. If they do not make use of them to subvert a Protestant government, they must resist the ruling passions and propensities of the human mind; and as to their professions of attachment, I cannot forget that James II. when Duke of York, with tears in his eyes, requested an exemption in his favour from the Test Act; and pledged his word as a Prince and a Peer, that his religion was a matter only between God and his conscience; and that it never should in any instance influence his political conduct in England. I cannot forget, that he renewed the same professions on his succession to the Throne;—that as a private man, he was always considered to be a man of truth and honour; yet, when Mr. Devaux, his confessor, had access to him, his professions were all forgotten; and we know the abuses which he afterwards committed under the same pernicious influence.

Another idle assertion has been advanced in support of this Bill, that the male line of the House of Stuart will be extinct with the Cardinal York, and therefore that we are no longer to apprehend any danger from receiving Roman Catholics into the State. But surely, no man can be so ignorant of the history of this country, as to suppose, that the old Irish Catholics had any particular attachment to the House of Stuart; or that the rebellion of 1688, was in any degree to be attributed to their personal affection for James. The fact is, that the Irish Catholics never had any personal attachment to the House of Stuart. When their religion was tolerated, they were amenable; and when the Acts of Supremacy and Uniformity were enforced in Ireland, they were in rebellion to the House of Stuart;—and during Cromwell's usurpation, it is well known that they offered the Crown of Ireland to the Duke of Lorraine, if he would engage with them for the establishment of the Popish religion

religion in this country. And therefore, they were attached to James II. not as a branch of the House of Stuart, but as the Patron of the Popish religion. And whether the Prince upon the Throne was of the House of Plantagenet, or the House of Tudor; whether of the House of Stuart, or the House of Brunswick, they never were, nor ever will be cordially attached to his government, unless the Popish religion be connected with it.

Before I dismiss the consideration of this Bill, which I know is looked to abroad as the first step only towards accomplishing the favourite object of complete emancipation; or in plain English, of complete democracy and anarchy; I cannot but advert to a subject which is immediately, and intimately connected with it. It has been discovered by modern philosophers and metaphysicians, that every man who is not represented in Parliament is a slave; that to be bound by laws, to which every man in the community does not assent, by himself or his representative, and to pay taxes levied in any way but by the like assent, is to live in a state of bondage, intolerable to men of free and enlightened minds. This great political axiom has been promulgated with uncommon industry for the last two years, by the gentlemen who have undertaken Catholic emancipation. It has been illustrated in essays and orations; it has been whispered in circles, and bawled in news-papers; it has founded a Puritanical Provincial Assembly, which is but a prelude to a great National Assembly or Convention, to be elected for effecting, by fair means or by violence, a dissolution of the present frame of the House of Commons, and for restoring the Constitution to its ancient purity, by opening the right of representation to the mass of the people, of all descriptions and all religions. And one great objection which I have to the Bill upon the table is, that it recognizes in a great measure, this most pernicious principle; a principle which never did exist, and if once admitted, must lead directly

to the subversion of the Constitution in Church and State. It is notorious to every man who has any information on the subject, that in the early periods of English government, the Commons were summoned only when the ordinary resources of the Crown were exhausted, and it became necessary to raise subsidies upon the people. It is notorious, that so far were the people of England from claiming this attendance as a privilege, that it was complained of at times as equally burthensome to the deputies, and to those by whom they were deputed; that petitions were frequently presented to the Throne, not complaining of *inadequate* representation, but beseeching to be relieved from the burthen of being *represented*.

It is notorious, that whilst the Commons continued in this state of native and original purity, the only struggles in the nation were struggles for power between the King and the Nobles, and that both estates trampled upon the people; that as property and personal consideration became diffused through the nation, the Commons necessarily became in some degree an aristocratic body; and just in proportion as the Commons increased in aristocratic influence, the rights of the people were asserted; and there is no man who knows the British Constitution, who must not acknowledge, that the best security which the people can have for their liberties, is the power and influence of their representatives in Parliament; and therefore it is that it becomes the peculiar duty of the Legislature to exclude from the House of Commons, the influence of every description of men, whose principles and propensities are in any degree hostile to the Constitution in Church or State.

What then becomes of this modern system of reforming and renewing the Constitution, by opening the right of representation to the mass of the people? If the Reform is to consist simply in breaking down the personal consideration of the representative body, it can have no other effect

fect than to strip the people of their best protection against the encroachments of prerogative. If it is to produce a popular assembly, detached altogether from the influence of the other estates, influenced only by the people, and implicitly obeying their instructions, this alternative becomes inevitable; either the machine of government must be at a stand, and the nation sink into a state of anarchy, or if a government should exist, it must necessarily become a pure democracy.

The advocates for an independent House of Commons, have two striking examples before them:—In the last century, England was blessed with an independent House of Commons; a great majority of them professed Reformers and Patriots by trade.—What was the consequence? They murdered their King; they subverted the Church; they annihilated the Peerage; and under the specious name of a Republic, erected a tyranny the most intolerable that ever oppressed a people who had been free.—France is now blessed with an independent representative Assembly, all of them professed Reformers and Patriots by trade.—What has been the consequence? They have murdered their King; they have subverted the Church; they have annihilated the Peerage; and under the specious name of a Republic, have reduced that once great and flourishing kingdom, to a state of frantic and savage despotism, unexampled in the annals of the civilized world. And if the people of this country should, in an evil hour, follow up the success which they have experienced in this first stage of their wild systems of experiment and reform, if they should succeed in dissolving the present constitution of the House of Commons, and in collecting a motley assembly of representatives, consisting of Protestants of the established church, and Puritans of every sect, and good and conscientious Papists, returned by the mass of the people in execution of their natural and inherent rights,

what

what must be the inevitable issue? The voters being in the proportion of three to one Papists, Popish influence must necessarily predominate in the same proportion. I make no doubt that to one point, their new allies, the Puritans, will agree with them, and that they will join in sacrificing the established Church: I have very little doubt that to one other point they will also agree, and that they will join in fomenting a quarrel with Great Britain. And if they shall succeed in the ultimate object of both, which I know to be separation, these wise Puritanical Reformers will then find themselves precisely in the situation of the horse in the fable; they will be obliged to carry their new allies, and when they are once fairly mounted, they will have to lament in vain their restless levity and infatuation. If therefore, we go one step further in innovation, this country is lost. I very much fear, that we have already made a most precipitate and indiscreet experiment; but if the Parliament and Government do not firmly unite to stop the progress of this most pernicious and alarming rage for innovation and experiment, separation from Great Britain, or war, will be inevitable.

A Right Rev. Prelate, in impressing the necessity of yielding to the demands of the Catholics in their fullest extent, has told us explicitly, that the Catholics demand it, that the people of Great Britain demand it, and that Great Britain will no longer assist the Protestants of Ireland in a system of oppression. If the Right Rev. Prelate threw out this observation by way of menace, I take leave to tell him, that it ill becomes him to address this Assembly in the language of intimidation. If he meant to deliver an opinion, that Great Britain will withdraw her protection from this country, or that Great Britain can maintain her connection with Ireland, by sacrificing her interests in it: in my opinion, the Right Rev. Prelate is but a flimsy politician. The interests of Great Britain and Ireland

Ireland are, and always must be, the same—their connection is essential to both ; it is essential to the interests of Great Britain ; it is essential to the existence of Ireland ; and therefore the crooked folly of man could not have suggested a more mischievous observation, than has fallen from that Right Rev. Prelate : it can tend only to encourage faction and sedition in Ireland, and to involve Great Britain in the difficulties and embarrassments, which must necessarily attend sedition and faction in this country. Great Britain must maintain her connection with Ireland, and she can maintain it only by maintaining and supporting the old English interest here. She must look for support in Ireland, by maintaining and defending the descendants of the old English settlers ; who with a very few exceptions, constitute the Protestant interest in this country : they must know and feel that they can maintain their present situation only by a close adherence to Great Britain ; and however foolishly some of them may have acted for the last ten years, for their own sakes they never will hazard a political quarrel between the two countries.

The descendants of the old Irish, who constitute the Catholic Interest of Ireland, know and feel that they can never recover the situation which their ancestors held in Ireland, but by separation from Great Britain ; and therefore, if any man in Great Britain or Ireland is so wild as to hope, that by communicating political power alone to the Catholics of Ireland, they are to be conciliated to British interests, he will find himself bitterly mistaken indeed. Great Britain can never conciliate the descendants of the old Irish to her interests, upon any other terms, than by restoring to them the possessions and the religion of their ancestors, in its full splendor and dominion ; either is impracticable : for I consider a repeal of the Act of Supremacy in any of the hereditary dominions of the Crown of Great Britain, to be as much beyond the power of Parliament,

ment, as a repeal of the great Charter, or a repeal of the Bill of Rights.

It is a heart-breaking scene to any man who loves this country, and has witnessed her growing prosperity, to see its progress arrested, as it has been, by the perverse levity of the people. We have now a Popish National Assembly or Convention, established in the metropolis, which exercises a complete system of democratic government over all the Catholics of Ireland ; this Convention has issued a general order, which has been implicitly obeyed, forbidding all Catholics to join their Protestant fellow-subjects in declarations of loyalty to their King, and attachment to the Constitution ; stating as the ostensible ground of the order, that they had already, in a more dignified manner, professed their loyalty by the voice of their representatives, in their petition to the Throne : but the real ground of the order has been avowed without reserve, by those who have acted under it to be, that the Papists of Ireland now hold the balance of power in the State ; that whatever party they may chuse to join, must prevail ; and therefore, it behoves them to maintain an ostensible neutrality, till they see whether they can gain most by joining the party interested in supporting the Constitution, or the party struggling to subvert it. If, however, they should pursue this refined policy, I have very little doubt that they will find, ere it be long, that there is more cunning than wisdom in it.

This Convention exercises also the power of taxation over all the Catholics of Ireland ; contributions were levied by their order, first privately, but now they are levied publicly in the face of day under the authority of a circular warrant, a sort of Privy Seal for a general benevolence. The last warrant which was issued is dated on the fifth of February, a period at which no doubt could be entertained of the success of their claims, as far as this Bill has acceded to them ;

them; and yet in the last warrant, they state that the *growing and heavy* expence of the Catholic cause, make a general contribution throughout every parish in the kingdom a matter of absolute and pressing necessity; and I know that the taxes repeatedly levied upon the poor under the authority of this Convention have in many districts reduced them to very great distress. What can the heavy expences of supporting the Catholic cause have been heretofore? What can be the *growing and heavy* expences of supporting it now? If the Catholics of Ireland consider their cause to be the cause of dutiful and loyal subjects, submitted only to the wisdom and liberality of Parliament, what fair and honest expence can the Managers of it have heretofore incurred? If the cause be good, from what source can heavy and growing expences now arise in support of it? The fact is, that some of the men who now govern the Catholics of Ireland, are men in whom neither they nor any other description of the King's subjects ought to have any confidence. I know them to be connected in politics with the Jacobins and Levellers of the Metropolis. The money levied upon the Catholics is applied by their direction and under their orders, and if they are suffered to continue this modern trade of petty Democracy, it must lead inevitably to the subversion of all order and government. The Puritans of the North, availing themselves of the example of their Catholic brethren, have already formed a Provincial Convention, and their intention of forming a general National Convention to meet in a central part of the kingdom whenever Parliament shall be prorogued, in order to force a dissolution of the House of Commons as now constituted, and to form a pure Democratic representation of all the people without distinction, is fairly avowed; and they argue very gravely, that as the voice of three millions of people spoken by a Popish Convention has been attended to, the voice of four millions speaking by the same organ ~~not~~ be stifled. And certainly the friends of the people

people of all descriptions have already spoken and written individually and collectively with such effect, that by their united efforts for National welfare and National reform, public and private credit has been blasted, trade and agriculture are at a stand, and a general despondency and alarm, pervade the country—and in my mind, there never was a period at which there existed more serious cause for alarm in the mind of every sober and thinking man, than at the present hour—the people appear to have been seized with a general infatuation ; their temper and dispositions at this day are precisely the temper and dispositions of the people of England in the year 1641, as described by Lord Clarendon :—

*The hand and judgment of God, says he, were very visible in infatuating a people, as ripe and prepared for destruction, into all the perverse actions of folly and madness ; making the weak to contribute to the designs of the wicked, and suffering even these by degrees, from a consciousness of their guilt, to grow more wicked than they intended to be : letting the wise to be imposed upon by men of small understanding, and permitting the innocent to be possessed with laziness and sleep, in the most visible article of danger : uniting the ill, though of the most different opinions, opposite interests, and distant affections, in a firm and constant league of mischiefs, and dividing those whose opinions and interests are the same, into faction and emulation more pernicious to the public, than the treason of the others, whilst the poor people under pretence of zeal to Religion, Law, Liberty and Parliament, words of precious esteem in their just signification, are furiously hurried into actions introducing atheism, and dissolving the elements of the Christian Religion, concelling all obligations, destroying all foundations of law and liberty, and rendering not only the privileges but the very being of Parliaments desperate and impracticable ; and although the immediate finger and wrath of God must be acknowledged*

*acknowledged in these perplexities and distractions, yet have they proceeded and been brought upon us by the same natural causes and means which have usually attended kingdoms swoln with plenty, pride, and excess, towards some signal castigation of Heaven.*

If the men whose interests and opinions are the same will desist from faction and emulation, and will once more unite to dissolve the complicated leagues of mischief which are formed against them, they may, perhaps, by care and circumspection, restore peace and security to the country : but if we are to persist in encouraging faction and emulation at home, and in fomenting jealousies and disunion between this country and Great Britain, the existence of Parliaments will inevitably become desperate and impracticable ; we shall be driven to sue for an union with the Parliament of England, as the last resource for the preservation of Ireland, and the misery is that every step which we advance in innovation, as it increases the necessity for an union, will increase the difficulties in adjusting it.

I have been led much more into detail upon this question than I intended when I was called up ; the subject is near my heart, and therefore I have been warm in discussing it. I must again declare that I consider the Bill upon the table to be a most indiscreet and precipitate experiment. I consider it to be in principle unwise and pernicious, and even if it were unexceptionable in principle, when I look back to the manner in which it has been brought before Parliament, in my opinion, by assenting to it, we shall establish a precedent fatal to all legitimate authority. But however deeply these considerations are impressed upon my mind, I will not divide the House upon the question for committing this Bill, because, after what has passed upon this subject in Great Britain and Ireland, I will not *now* be responsible for the immediate consequences of rejecting altogether the wild claims which

have been advanced on behalf of the Irish Roman Catholics. If the measure which has been brought forward shall prove successful in uniting men of all religious persuasions in sentiment, in support of the Constitution, it is fit that its authors and promoters should have the full and exclusive merit resulting from it: if on the contrary, it shall prove a source of new difficulties and embarrassments in the Government of this country, it is fit that they and they only, should be responsible for the issue.

F I N I S.



